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EXTRAORDINARY

PART II—Section 2

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LOK SABHA

The following Bill was introduced in Lok Sabha on the 1st May, 1959:—

BILL No. 34 OF 1959

A Bill further to amend the Foreign Exchange Regulation Act, 1947.

Be it enacted by Parliament in the Tenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Foreign Exchange Regulation (Amendment) Act, 1959. Short title and commencement.

5 (2) It shall come into force at once.

7 of 1947. 2. In section 2 of the Foreign Exchange Regulation Act, 1947 (hereinafter referred to as the principal Act), clauses (a) and (bb) shall be omitted. Amendment of section 2.

3. Section 19A of the principal Act shall be omitted. Omission of section 19A.

10 4. In section 23 of the principal Act,—
(1) sub-section (1) shall be omitted and sub-section (1A) shall be renumbered as sub-section (1). Amendment of section 23.

(2) in sub-section (2) as so renumbered the words “sub-section (1) of this section and” shall be omitted;

(3) in sub-section (1B), the words "or sub-section (1A) and the authority adjudging any contravention under clause (a) of sub-section (1)" shall be omitted;

(4) in sub-section (2) for the word "two" the word "one" shall be substituted; and

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(5) clause (a) of sub-section (3) shall be omitted.

Omission
of sections
23D, 23E
and 23F.

5. Sections 23D, 23E and 23F of the principal Act shall be omitted.

STATEMENT OF OBJECTS AND REASONS

Under the present Act, the Director of Enforcement is alone responsible for enforcing the provisions of the Foreign Exchange Regulation Act and he is the only person who is to judge and decide whether adjudication proceedings should be started or not under this Act. He enjoys both executive and judicial powers and under Section 23(1) of the Act he can himself impose a penalty. He may or may not send the case to Court. The result is that unnecessary delay is caused and effective and quick action cannot be taken against those who contravene the provisions of this Act.

The Bill seeks to make the procedure simpler and more effective so that quick action may be taken against offenders under this Act and judicial functions may be separated from executive functions.

NEW DELHI;

RAM KRISHAN GUPTA.

The 31st March, 1959.

BILL No. 29 OF 1959

a bill further to amend the Indian Penal Code, 1860.

BE it enacted by Parliament in the Tenth Year of the Republic of India as follows:—

Short title
and com-
mencement.

1. (1) This Act may be called the Indian Penal Code (Amendment) Act, 19

(2) It shall come into force at once.

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Amendment
of Section
309.

2. In Section 309 of the Indian Penal Code, 1860, after the words "such offence" the words "or threatens to undertake fast unto death for acceptance of any of his demand" shall be inserted.

XLV of 1860.

STATEMENT OF OBJECTS AND REASONS

Under the present Section 309 of the Indian Penal Code, only those can be punished who attempt to commit suicide, but no action can be taken against those who go on hunger strike or undertake fast with a view to put undue pressure for acceptance of their demands.

The purpose of the present amendment is to make such provision so that whoever resorts to hunger strike or undertakes fast with ulterior motive may be duly punished and criminal action may be taken against him.

There is great urgency for such provision as such cases are increasing and people have adopted the weapon of hunger strike or fast to get their demands accepted.

NEW DELHI;
The 31st March, 1959.

RAM KRISHAN GUPTA.

M. N. KAUL,
Secretary.

